

REFERENCE TITLE: disabled persons; organizations; license plates

State of Arizona
Senate
Forty-eighth Legislature
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2008

SB 1037

Introduced by
Senator Harper

AN ACT

AMENDING SECTION 28-2409, ARIZONA REVISED STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-2409, Arizona Revised Statutes, is amended to
3 read:

4 28-2409. International symbol of access special plates:
5 placard: issuance by motor vehicle dealers:
6 definitions

7 A. The department shall issue special plates bearing the international
8 symbol of access to either:

9 1. A person who is permanently physically disabled and who is an owner
10 or lessee of a motor vehicle.

11 2. An organization that owns or leases a motor vehicle that primarily
12 transports physically disabled persons.

13 B. A permanently disabled special plate issued under this section is
14 valid for as long as the person to whom the plate is issued qualifies for
15 issuance under this section.

16 C. A person who is permanently physically disabled may obtain, if
17 qualified, a permanently disabled removable windshield placard. A person who
18 is temporarily physically disabled may obtain, if qualified, a temporarily
19 disabled removable windshield placard. An organization that primarily
20 transports physically disabled persons may obtain, if qualified, a placard
21 for each of the qualified vehicles. The department shall issue only one
22 valid placard to a temporarily or permanently physically disabled applicant,
23 except to replace a lost, stolen or mutilated placard or if the department
24 determines, on receiving the applicant's written request, that the needs of
25 the applicant are such that two valid placards are required. The department
26 shall issue a placard pursuant to this section at no additional charge.

27 D. A permanently disabled removable windshield placard issued or
28 renewed under this section is valid for five years. A temporarily disabled
29 removable windshield placard issued or renewed under this section is valid
30 for a period of time as determined by the department. A person who desires
31 to obtain a temporarily disabled removable windshield placard for an
32 additional period of time shall submit a new application.

33 E. A person or organization that desires to obtain a permanently
34 disabled or temporarily disabled removable windshield placard or
35 international symbol of access special plates shall submit an application to
36 the department on a form furnished by the department that contains one of the
37 following:

38 1. If a permanently or temporarily disabled person, a certificate
39 completed by a hospital administrator, an authorized physician or a
40 registered nurse practitioner that certifies that the applicant is physically
41 disabled.

42 2. If an organization, a signed statement by an authorized officer of
43 the organization affirming that the registered vehicle that is owned or
44 leased by the organization and that will display the placard or the

1 international symbol of access special plates primarily transports physically
2 disabled persons.

3 F. On receipt of the application containing the medical certificate or
4 signed statement, if the department finds that the applicant qualifies for
5 the parking privileges pursuant to chapter 3, article 14 of this title, the
6 department shall issue the placard or international symbol of access special
7 plates.

8 G. A person or an organization desiring to renew a permanently
9 disabled removable windshield placard shall submit an application to the
10 department containing one of the following:

11 1. If a permanently disabled person, a signed statement by the person
12 that is witnessed by a department agent or notary public, that requests the
13 renewal of the placard and that affirms that the person is physically
14 disabled.

15 2. If an organization, a signed statement by an authorized officer of
16 the organization affirming that the registered vehicle that is owned or
17 leased by the organization and that will display the placard primarily
18 transports physically disabled persons.

19 H. The placard or international symbol of access special plates shall
20 be displayed on or in the motor vehicle in the manner prescribed by the
21 department.

22 I. A request for special plates issued under this section may be
23 combined with a request for an honored military license plate issued under
24 article 13 of this chapter or any other special plate. The department shall
25 prescribe the form for the request. The request is subject to payment of
26 only the fee required for the honored military license plate or other special
27 plate and is not subject to any other special plate fee under section
28 28-2402. An international symbol of access special plate that is combined
29 with an honored military license plate or any other special plate is not a
30 personalized special plate under section 28-2406.

31 J. NOTWITHSTANDING ANY OTHER LAW, A MOTOR VEHICLE DEALER THAT IS
32 LICENSED PURSUANT TO CHAPTER 10 OF THIS TITLE MAY ISSUE AN INTERNATIONAL
33 SYMBOL OF ACCESS SPECIAL PLATE TO AN ORGANIZATION THAT PRIMARILY TRANSPORTS
34 PHYSICALLY DISABLED PERSONS IF THE MOTOR VEHICLE DEALER VERIFIES THAT THE
35 ORGANIZATION HAS PREVIOUSLY BEEN ISSUED AN INTERNATIONAL SYMBOL OF ACCESS
36 SPECIAL PLATE.

37 K. For the purposes of this section:

38 1. "Authorized physician" means a doctor of medicine, osteopathy,
39 podiatry or chiropractic licensed to practice medicine in this state or
40 another state or authorized by the United States government to practice
41 medicine.

42 2. "Permanently disabled removable windshield placard" means a
43 two-sided, hooked placard that includes on each side all of the following:

1 (a) The international symbol of access that is at least three inches
2 in height, that is centered on the placard and that is white on a blue
3 shield.

4 (b) An identification number.

5 (c) An expiration date.

6 (d) The seal or other identification of the issuing authority.

7 3. "Physically disabled person" means a person who, as determined by a
8 hospital administrator or authorized physician, meets any of the following
9 conditions:

10 (a) Cannot walk two hundred feet without stopping to rest.

11 (b) Cannot walk without the use of or assistance from any brace, cane,
12 crutch, other person, prosthetic device, wheelchair or other assistive
13 device.

14 (c) Is restricted by lung disease to such an extent that the person's forced respiratory, expiratory volume for one second, if measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/Hg on room air at rest.

15 (d) Uses portable oxygen.

16 (e) Has a cardiac condition to the extent that the person's functional
17 limitations are classified in severity as class III or class IV according to
18 standards set by the American heart association.

19 (f) Is severely limited in the person's ability to walk due to an
20 arthritic, neurological or orthopedic condition.

21 4. "Temporarily disabled removable windshield placard" means a
22 two-sided, hooked placard that includes on each side all of the following:

23 (a) The international symbol of access that is at least three inches
24 in height, that is centered on the placard and that is white on a red shield.

25 (b) An identification number.

26 (c) A date of expiration.

27 (d) The seal or other identification of the issuing authority.